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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,973	12/21/2001	Yoshikazu Kato	7217/66061	1417

7590

04/27/2005

COOPER & DUNHAM LLP  
1185 Avenue of the Americas  
New York, NY 10036

EXAMINER
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ABEL JALIL, NEVEEN

ART UNIT	PAPER NUMBER
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2165

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/027,973

Applicant(s)

KATO ET AL.

Examiner

Neveen Abel-Jalil

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
**SAM RIMELL**  
**PRIMARY EXAMINER**

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 28-March -2005 has been entered.
2. The amendment filed on 28-March -2005 has been received and entered. Claims 1-10 are pending.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niwa et al. (U.S. Patent No. 5,987,460) in view of Nielson (U.S. Patent No. 5,970,492), and further in view of Holtman, Koen, Van der Stok, and Willers, Ian. Automatic Reclustering of Objects in Very Large Databases for High Energy Physics (thereafter, Holtman et al.).

As to claims 1, and 6, Niwa et al. discloses an information retrieval apparatus for performing information retrieval from an information source (See Niwa et al. figure 21B), said information retrieval apparatus comprising:

input means in which a selective inputting operation is performed (See Niwa et al. figure 21B, 1', shows "input devices");

database-access-interface means which accesses a database as said information source for retrieving information in response to a use of said input means (See Niwa et al. column 3, lines 61-67, and see Niwa et al. column 4, lines 1-36);

display means for displaying, in a form of an information bar, information that is obtained by accessing said database by said database-access-interface means (See Niwa et al. column 6, lines 34-66);

cursor moving means for moving a cursor in response to the use of said input means in order to designate a position in a lengthwise direction of the information bar displayed by said display means (See Niwa et al. column 18, lines 38-57, also see Niwa et al. column 8, lines 1-21, and see Niwa et al. column 7, lines 29-59); and

retrieval means for retrieving information corresponding to the designated lengthwise position from said database by using said database-access-interface means (See Niwa et al. column 7, lines 1-66, also see Niwa et al. column 14, lines 23-53, also see Niwa et al. column 21, lines 19-54),

wherein the retrieved information is displayed on said display means (See Niwa et al. column 14, lines 23-53).

Niwa et al. does not teach from a plurality of databases including first and second dictionaries.

Nielson teaches from a plurality of databases including first and second dictionaries (See Nielson column 6, lines 8-41).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Niwa et al. to include from a plurality of databases including first and second dictionaries.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Niwa et al. by the teaching of Nielson to include from a plurality of databases including first and second dictionaries because it provides for more efficient results and better more accurate sources of information for results retrieval.

Niwa et al. as modified still does not teach wherein said information bar consists of a plurality of lengthwise sections each corresponding to each of index-item information and being displayed in a staircase pattern.

Holtman et al. teaches wherein said information bar consists of a plurality of lengthwise sections each corresponding to each of index-item information and being displayed in a staircase pattern (See Holtman et al. page 4, describes database access using staircase pattern, also see Holtman et al. figure 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Niwa et al. to include wherein said information bar consists of a plurality of lengthwise sections each corresponding to each of index-item information and being displayed in a staircase pattern.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Niwa et al. by the teaching of Holtman et al. to include wherein said information bar consists of a plurality of lengthwise sections each corresponding to each of index-item information and being displayed in a staircase pattern because it provides for customization and ease of viewing and tracking of retrieved search results.

As to claims 2, and 7, Niwa et al. as modified discloses wherein said display means displays the index-item information corresponding to one of the plurality of lengthwise sections in which a position in the lengthwise direction of the displayed information bar is designated by using said cursor moving means (See Niwa et al. column 7, lines 29-67, and see Niwa et al. column 8, lines 1-28).

As to claims 3, and 8, Niwa et al. as modified discloses further comprising a built-in database accessed by said database-access-interface means (See Niwa et al. column 4, lines 1-19).

As to claims 4, and 9, Niwa et al. as modified discloses wherein said database-access-interface means accesses a database outside said information retrieval apparatus (See Niwa et al. column 19, lines 1-35).

As to claims 5, and 10, Niwa et al. as modified discloses wherein said database-access-interface means uses a network to access a database outside said information retrieval apparatus

(See Niwa et al. column 19, lines 14-65).

***Response to Arguments***

5. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 571-272-4074. The examiner can normally be reached on 8:30AM-5: 30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 571-272-4038. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Neveen Abel-Jalil  
April 11, 2005

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A handwritten signature in black ink, appearing to read 'S. Rimell', is positioned above the printed name.

**SAM RIMELL  
PRIMARY EXAMINER**